

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**ATTENTION:**

In re Application of :

**BOX: MISSING PARTS**

Anthony A. Di Stasio

Group Art Unit **3673**

Serial No.: 10/806,869

Examiner: Unassigned

Filed: March 23, 2004

For: MATTRESS HAVING RETICULATED VISCOELASTIC FOAM

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

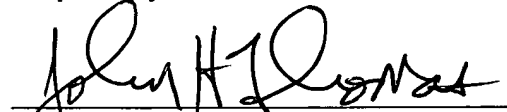
In response to the Notice to File Missing Parts dated September 1, 2004:

- ☒ Attached is a Declaration and Power of Attorney in compliance with 37 CFR § 1.53 along with the late filing surcharge of \$130.00
- ☐ Applicant(s) include the filing fee of \$740.00/\$370.00/\$160.00/\$80.00.
- ☐ Applicant(s) include the extra claims fee of \$        for        claims in excess of 20 \$18/\$9 per additional claim, for        independent claims in excess of 3 \$84/\$42 per additional claim, and/or \$280 for multiple dependent claims.
- ☐ Applicant(s) include an executed assignment and Recordation Form Cover Sheet with the recordation fee of \$40.00 (Check No.        ).
- ☒ Attached is a copy of the Notice to File Missing Parts.
- ☐ Applicant(s) request that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for a period of one/two/three/four/five month(s) along with the fee of \$110.00/\$400.00/\$920.00/\$1440.00/\$1960.00.
- ☐ Applicant(s) are entitled to small entity status.
- ☐ Attached is a verified English translation of the        language text filed on        along with the fee of \$130.00.
- ☐ Applicant(s) provide the title of the invention/inventor(s) name(s) and address(es) on the attached provisional application cover sheet along with the \$50/\$25 surcharge.

- ☐ Attached is the Sequence Disclosure as required.
- ☐ Attached is the Substitute Specification as required.
- ☐ Attached are the substitute drawings as required.
- ☐ Attached is an English translation of the application.

Attached is a check in the amount of \$ 130.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #50-2127, two copies of this paper are attached for this purpose.

Respectfully submitted,



John H. Thomas  
Registration No. 33,460  
Attorney/Agent for Applicants

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Attorney Docket No.: CREST 4

Date: October 28, 2004

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the appropriate address at the U.S. Patent and Trademark Office required under 37 C.F.R. § 1.1(a) on October 28, 2004.

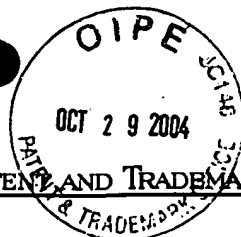
by:



John H. Thomas



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
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IFW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,869	03/23/2004	Anthony A. Di Stasio	CREST 4

John H. Thomas, P.C.  
1561 East Main Street  
Richmond, VA 23219

CONFIRMATION NO. 2693

**FORMALITIES LETTER**



\*OC000000013687936\*

Date Mailed: 09/01/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

11/01/2004 RMEBRAHT 00000123 10806869

01 FC:1051

130.00 DP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. Smith", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE